

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

PATRICK-JOSEPH GROULX,

Plaintiff,

v.

COVENANT MEDICAL CENTER, INC., et al.,

Defendants.

Case No. 1:24-cv-11989

Honorable Thomas L. Ludington
United States District Judge

Honorable Patricia T. Morris
United States Magistrate Judge

**OPINION AND ORDER (1) OVERRULING PLAINTIFF’S OBJECTION, (2)
ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION, (3)
DISMISSING COMPLAINT, AND (4) DENYING PLAINTIFF’S MOTION TO
PROCEED AS MOOT**

On July 30, 2024, Plaintiff Patrick-Joseph Groulx sued Defendant Doctor Jamal Fadhel and his employer, Defendant Covenant Medical Center, Inc., alleging that Defendant Fadhel entered false information into his medical file and conveyed it to other physicians. About a month later, Plaintiff filed a motion to proceed, seeking expedited review of this case. On September 10, 2024, Magistrate Judge Patricia T Morris issued a report (R&R) recommending this Court *sua sponte* dismiss this case under 28 U.S.C. § 1915(e)(2) and deny Plaintiff’s Motion to Proceed as moot. Shortly after, Plaintiff objected to the R&R. As explained, Plaintiff’s Objection will be overruled, Judge Morris’s R&R will be adopted, the Complaint will be dismissed, and Plaintiff’s Motion to Proceed will be denied as moot.

I.

In 2021, Plaintiff Patrick-Joseph Groulx visited Defendant Doctor Jamal Fadhel for symptoms Plaintiff believed stemmed from herbicide exposure. ECF No. 1 at PageID.113. These symptoms included chronic diarrhea, dyspepsia, poor appetite, weight loss, and insomnia. *Id.* at PageID.113, 116. Plaintiff also reported that “something [was] inside” of him. *Id.* at PageID.113.

Ultimately, Defendant Fadhel concluded that Plaintiff had no physical ailments. *Id.* at PageID.116. Instead, Defendant Fadhel concluded that Plaintiff may suffer from an anxiety disorder, bipolar disorder, or schizophrenia. *Id.*

Plaintiff denounces Defendant Fadhel's medical opinions, labeling them "false allegations." *Id.* at PageID.4. Plaintiff also alleges that Defendant Fadhel shared his opinions in a letter to Plaintiff's physician at the University of Michigan. *Id.* at PageID.8. And Plaintiff claims that because of this letter, he can no longer receive treatment for herbicide exposure at the University of Michigan. *Id.*

On July 30, 2024, Plaintiff filed a *pro se* Complaint and applied to proceed *in forma pauperis*. ECF Nos. 1; 2. Plaintiff brings several claims against Defendant Fadhel and his employer, Defendant Covenant Medical Center, Inc., for allegedly violating federal criminal statutes and regulations promulgated under the Health Insurance Portability and Accountability Act (HIPPA) and Medical Act by including in his medical records Defendant Fadhel's opinion that Plaintiff may suffer from psychiatric disorders. *See* ECF No. 1 at PageID.6–10. Plaintiff also brings a state-law defamation claim against Defendant Fadhel. *Id.* at PageID.10.

On August 6, 2024, this Court referred the case to Magistrate Judge Patricia T. Morris for all pretrial matters. ECF No. 4. That same day, Judge Morris granted Plaintiff's application to proceed *in forma pauperis*. ECF No. 5. Shortly after, Plaintiff filed a motion to proceed, seeking expedited judicial review of this case. ECF No. 6.

II.

On September 10, 2024, Judge Morris issued a report (R&R) recommending that this Court *sua sponte* dismiss this case under 28 U.S.C. § 1915(e)(2). ECF No. 7. Judge Morris correctly found that all Plaintiff's claims brought under federal criminal statutes and regulations fail to state a claim and should be dismissed because those laws do not create a private cause of action. *Id.* at

PageID.136–37. Because Judge Morris concluded that all the federal claims should be dismissed, she recommended this Court decline to exercise supplemental jurisdiction over Plaintiff’s remaining state-law defamation claim against Defendant Fadhel. *Id.* at PageID.137–38 (citing 28 U.S.C. § 1367(a)). And Judge Morris noted that the relief requested in Plaintiff’s Motion to Proceed would be moot if this Court adopts the R&R. *Id.* at PageID.132, n.1. All said, if this Court were to adopt the R&R, all Plaintiff’s federal claims would be dismissed with prejudice, his state-law defamation claim would be dismissed without prejudice, and his Motion to Proceed would be denied as moot. *Id.* at PageID.132.

Plaintiff objected. ECF No. 8. Plaintiff’s sole Objection to the R&R asks this Court to “dismiss any federal claims with prejudice, while dismissing all state claims without prejudice.” *Id.* at PageID.142. Because the R&R recommends exactly what Plaintiff asks this Court to do in his Objection, his Objection will be overruled.

At bottom, because Plaintiff’s Objection will be overruled and the R&R contains no clear error, the R&R will be adopted. As a result, Plaintiff’s defamation claim against Defendant Fadhel will be dismissed without prejudice, the Complaint, ECF No.1, will be dismissed with prejudice in all other respects, and Plaintiff’s Motion to Proceed, ECF No. 6, will be denied as moot.

III.

Accordingly, it is **ORDERED** that Plaintiff’s Objection to the Report and Recommendation, ECF No. 8, is **OVERRULED**.

Further, it is **ORDERED** that Magistrate Judge Patricia T. Morris’s Report and Recommendation, ECF No. 7, is **ADOPTED**.

Further, it is **ORDERED** that Plaintiff’s defamation claim against Defendant Fadhel is **DISMISSED WITHOUT PREJUDICE**.

Further, it is **ORDERED** that Plaintiff's Complaint, ECF No. 1, is **DISMISSED WITH PREJUDICE** in all other respects.

Further, it is **ORDERED** that Plaintiff's Motion to Proceed, ECF No. 6, is **DENIED AS MOOT**.

This is a final order and closes the above-captioned case.

Dated: January 17, 2025

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge